

AMENDED IN ASSEMBLY JUNE 21, 2011

AMENDED IN ASSEMBLY MAY 25, 2011

AMENDED IN SENATE MARCH 21, 2011

SENATE BILL

No. 341

Introduced by Senator Lowenthal

February 15, 2011

An act to amend Section 27000 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 341, as amended, Lowenthal. Vehicles: ~~dump trucks~~ *construction vehicles*: backup alarms.

(1) Existing law requires a refuse or garbage truck to be equipped with an automatic backup audible alarm that sounds on backing and is capable of emitting an audible sound meeting specified requirements. A violation of this requirement is a crime.

This bill would additionally require a ~~commercial~~ *construction* vehicle, as defined, with a gross vehicle weight rating (GVWR), ~~as defined~~, in excess of 14,000 pounds that *operates at, or* transports any construction or industrial material, ~~as described~~, to and from, a mine or construction site, or both, to be equipped with an automatic backup audible alarm that sounds on backing and is capable of emitting sound audible under normal conditions from a distance of not less than 200 feet. Because the bill would expand the scope of a crime, it would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 27000 of the Vehicle Code is amended
2 to read:

3 27000. (a) A motor vehicle, when operated upon a highway,
4 shall be equipped with a horn in good working order and capable
5 of emitting sound audible under normal conditions from a distance
6 of not less than 200 feet, but no horn shall emit an unreasonably
7 loud or harsh sound. An authorized emergency vehicle may be
8 equipped with, and use in conjunction with the siren on that
9 vehicle, an air horn that emits sounds that do not comply with the
10 requirements of this section.

11 (b) A refuse or garbage truck shall be equipped with an
12 automatic backup audible alarm that sounds on backing and is
13 capable of emitting sound audible under normal conditions from
14 a distance of not less than 100 feet or shall be equipped with an
15 automatic backup device that is in good working order, located at
16 the rear of the vehicle and that immediately applies the service
17 brake of the vehicle on contact by the vehicle with any obstruction
18 to the rear. The backup device or alarm shall also be capable of
19 operating automatically when the vehicle is in neutral or a forward
20 gear but rolls backward.

21 (c) A refuse or garbage truck, except a vehicle, known as a
22 rolloff vehicle, that is used for the express purpose of transporting
23 waste containers such as open boxes or compactors, purchased
24 after January 1, 2010, shall also be equipped with a functioning
25 camera providing a video display for the driver that enhances or
26 supplements the driver's view behind the truck for the purpose of
27 safely maneuvering the truck.

28 (d) (1) ~~A commercial~~ *construction* vehicle with a gross vehicle
29 weight rating (GVWR) in excess of 14,000 pounds that *operates*
30 *at, or* transports construction or industrial materials to and from,
31 a mine or construction site, or both, shall be equipped with an
32 automatic backup audible alarm that sounds on backing and is

1 capable of emitting sound audible under normal conditions from
2 a distance of not less than 200 feet.

3 ~~(2) For purposes of this subdivision, “construction or industrial~~
4 ~~material” includes any aggregate material, as defined in subdivision~~
5 ~~(d) of Section 23114, concrete, cement, clay, limestone, or other~~
6 ~~construction or industrial material transported in a bulk material~~
7 ~~haulage vehicle.~~

8 (2) As used in this subdivision, “construction vehicle” includes,
9 but is not limited to, all of the following:

10 (A) A vehicle designed to transport concrete, cement, clay,
11 limestone, aggregate material as defined in subdivision (d) of
12 Section 23114, or other similar construction or industrial material,
13 including a transfer truck or a tractor trailer combination used
14 exclusively to pull bottom dump, end dump, or side dump trailers.

15 (B) A vehicle that is a concrete mixer truck, a truck with a
16 concrete placing boom, a water tank truck, a single engine crane
17 with a load rating of 35 tons or more, or a tractor that exclusively
18 pulls a low-boy trailer.

19 SEC. 2. No reimbursement is required by this act pursuant to
20 Section 6 of Article XIII B of the California Constitution because
21 the only costs that may be incurred by a local agency or school
22 district will be incurred because this act creates a new crime or
23 infraction, eliminates a crime or infraction, or changes the penalty
24 for a crime or infraction, within the meaning of Section 17556 of
25 the Government Code, or changes the definition of a crime within
26 the meaning of Section 6 of Article XIII B of the California
27 Constitution.